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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTACLERK, U.S. DISTRICT COURT
ST. PAUL, MINNESOTA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

NINA BETH LEVITUS,)

Defendant.)

Crim. File No. 23-cr-234 WMW**INFORMATION**

18 U.S.C. § 286

SCANNED

JUL 18 2023

U.S. DISTRICT COURT ST. PAUL

bx

THE UNITED STATES ATTORNEY CHARGES THAT:

1. At all times material to this Information, NINA BETH LEVITUS ("LEVITUS" or "the defendant") was a resident of the State and District of Minnesota. LEVITUS at various times operated businesses in Minnesota under the names Visionary Optical and Nina 911, Inc. During the conspiracy, the businesses were not operating.

2. Beginning on or about May 29, 2020, and continuing until at least May 3, 2021, in the State and District of Minnesota and elsewhere, the defendant conspired with another to defraud the United States by obtaining the payment of false, fictitious, and fraudulent claims from the United States government related to the COVID-19 pandemic.

3. It was part of the conspiracy that the defendant provided information to a co-conspirator about Nina 911, Inc. and Visionary Optical. LEVITUS knew that the co-conspirator would use the information to falsify applications and supporting documentation to fraudulently obtain federal

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COVID-19 pandemic related funds. At the time the defendant provided the information, she knew that neither business was eligible for COVID-19 pandemic relief funds.

4. Among the programs from which funds were sought was the Paycheck Protection Program operated under the auspices of the United States Small Business Administration. To obtain a Paycheck Protection Program ("PPP") loan, a qualifying business submits an application with information including the business's operational status, payroll, and number of employees, to allow a participating lender to determine eligibility of the business and the amount of PPP loan available.

5. Under the terms of the PPP program, the SBA guarantees the loan issued by the participating lender.

6. It was further part of the conspiracy that the co-conspirator applied for and obtained PPP loans from participating lenders. The applications falsely certified that Nina 911 and Visionary Optical were ongoing concerns, had employees and payroll to qualify for PPP loans, and that the loan proceeds would be used on permissible business expenses, including payroll costs, mortgage interest, rent, and utilities. These representations were false.

7. It was further part of the conspiracy that the defendant opened bank accounts using her name and the names of the businesses to receive the

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funds obtained from the applications. Upon receipt of the funds, LEVITUS transferred funds to the co-conspirator.

8. During and in the course of the conspiracy, approximately \$162,000 was deposited into accounts controlled by the defendant. All such funds were obtained by fraud.

COUNT 1
(Conspiracy to Defraud the Government)

9. Paragraphs 1-8 are hereby re-alleged as if set forth fully herein.

10. On or about between May 29, 2020 and at least May 3, 2021, in the State and District of Minnesota and elsewhere, the defendant,

NINA BETH LEVITUS,

did knowingly agree, combine, and conspire with another to defraud a department and agency of the United States, to obtain the payment of false, fictitious and fraudulent claims, that is, false claims for Paycheck Protection Program funds administered by the United States Small Business Administration, all in violation of Title 18, United States Code, Section 286.

Respectfully submitted,

ANDREW M. LUGER
United States Attorney



Dated: July 18, 2023

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